

## Message Text

CONFIDENTIAL

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70

ACTION IO-03

INFO OCT-01 SS-14 ISO-00 L-01 NSCE-00 EUR-08 CIAE-00 INR-05

SP-02 OC-01 CCO-00 /035 W  
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R 022218Z MAR 76

FM USMISSION USUN NY  
TO SECSTATE WASHDC 6100

C O N F I D E N T I A L USUN 0789

LIMDIS

NOFORN

E.O. 11652: XGDS-1  
TAGS: PFOR, UN  
SUBJECT: THE VETO IN THE SECURITY COUNCIL

REF: USUN 506  
USUN 511  
USUN 561

1. IN STRICT CONFIDENCE UN LEGAL COUNSEL SUY HAS GIVEN MISOFF THE TEXT OF A MEMORANDUM CONCERNING POSSIBLE LOSS OF VOTING RIGHTS IN THE SECURITY COUNCIL BY A COUNCIL MEMBER WHICH IS A PARTY TO A DISPUTE DEALT WITH THE COUNCIL UNDER CHAPTER VI OF THE CHARTER. THE MEMORANDUM WAS PREPARED BY A JUNIOR MEMBER OF THE CODIFICATION DIVISION AT THE REQUEST OF THE SOVIET HEAD OF THAT DIVISION, YURI RYBAKOV. IT ANALYZES INTELLIGENTLY AND CONCISELY THE COUNCIL'S PRACTICE UNDER ARTICLE 27(3) AND SEEMS LIKELY TO PROVIDE THE BASIS FOR AN OPINION OF THE LEGAL COUNSEL SHOULD A MEMBER OR MEMBERS OF THE COUNCIL SEEK HIS VIEWS ON THE PROPRIETY OF A MEMBER'S VOTING IN A FUTURE CASE. DURING THE DISCUSSION OF THE COMOROSE IN FEBRUARY THIS YEAR, IT WILL BE RECALLED PANAMAIAN AMB. BOYD SUGGESTED HE MIGHT SO REQUEST IN CONNECTION WITH COUNCIL CONSIDERATION OF CANAL QUESTION.

2. THE MEMORANDUM ALSO CONTANS A CONCLUDING SECTION SUGGESTING  
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HOW A MOJORITY IN THE COUNCIL COULD IMPOSE ITS VIEW THAT A

PERMANENT MEMBER SHOULD NOT VOTE. MISOFF PROMPTLY OBSERVED TO SUY THAT THIS PART OF THE PAPER AMOUNTS TO AN INSIGHTFUL AND EASY GUIDE TO VOTE DEPRIVATION AND, IN THE WRONG HANDS, COULD PROVE HARMFUL. SUY AGREED. HE SAID THAT, AS FAR AS HE IS CONCERNED, ONLY THE US (COMMENT: AND, OBVIOUSLY, THE USSR GIVEN RYBAKOV'S INVOLVEMENT) HAS A COPY OF THE MEMORANDUM. SUY EXPRESSLY ASKED THAT IT NOT BE GIVEN TO ANY OTHER COUNTRY.

3. MEMORANDUM POUCHED TO JOHN BAKER, IO, UNDER REGISTRY RECEIPT NO. 6089.  
BENNETT

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NNN

## Message Attributes

**Automatic Decaptoning:** Z  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** DOCUMENTS, VOTING, WITHDRAWAL OF MEMBERSHIP, INTERNATIONAL ORGANIZATIONS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 02 MAR 1976  
**Decaption Date:** 28 MAY 2004  
**Decaption Note:** 25 YEAR REVIEW  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** greeneet  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1976USUNN00789  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** X1  
**Errors:** N/A  
**Film Number:** D760080-0063  
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**Office:** ACTION IO  
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**Original Previous Classification:** n/a  
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**Previous Classification:** CONFIDENTIAL  
**Previous Handling Restrictions:** LIMDIS  
**Reference:** n/a  
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**Review Authority:** greeneet  
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**TAGS:** PFOR, UNSC  
**To:** STATE  
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